

## Remarks

Claims 1-12 are pending in the present application. Reconsideration and allowance are requested in view of the above amendments and the remarks below.

Claims 1-12 are rejected under 35 U.S.C. 103(a) over Choquier et al. (US 5,774,668), hereafter “Choquier,” in view of Agarwalla (US Patent No. 6,985,936), hereafter “Agarwalla.” This rejection is defective because the references, taken alone or in combination, fail to disclose each and every feature of the claims.

Independent Claim 1 sets forth a:

“Method for ensuring the availability of a service proposed by a service provider in a data transmission system including at least one user workstation connected to the Internet network, a plurality of content servers able to furnish services provided by service providers in response to service requests from said user workstation, and a proxy server interconnected between said Internet network and said content servers for receiving said service requests from said user workstation and transmitting each one to a content server able to provide the requested service;

said method including the following steps when said proxy server receives a service request,

- looking in a context table for an entry corresponding to a Uniform Resource Locator (URL) defined in said service request in order to determine the content server able to provide the requested service,
- appending a service availability request to said service request before sending said service request from said proxy server to said determined

content server,

- appending a service availability token to the reply provided by said determined content server before sending said reply from said determined content server to said proxy server,
  - removing said service availability token from said reply upon reception thereof by said proxy server,
  - updating said context table in said proxy server before sending said reply to said user workstation by using information contained in said service availability token, and
- sending said reply to said user workstation.”

In the Office Action, the Examiner admits that Choquier “does not show that service availability request is appended to service request from client ... does not show that service availability token is appended to reply from content server ... as well as removing service availability token since it was not appended before.”

To overcome the numerous glaring deficiencies of Choquier, the Examiner relies on the disclosure of Agarwalla. In particular, the Examiner asserts that “Agarwalla shows that the service availability request comprising a content distribution flag (col. 8, lines 23-30) is appended to service request from the user workstation comprising augmenting an HTTP GET request message with an HTTP header containing the service availability request (col. 8 lines 43-47).”

This is incorrect. In particular, in Agarwalla, the “content distribution flag” does not comprise a “service availability request” as claimed. Rather, the purpose of “content distribution flag” in Agarwalla is to notify the receiving content server that

a content caching system is “content distribution aware”. That is, if informed of the file name associated with returned content, the caching system can make use of that information. Clearly, the claimed “service availability request” does not correspond in any way with Agarwalla’s “content distribution flag.”

Accordingly, since Choquier and Agarwalla, taken alone or in combination, fail to disclose each and every feature of the claims, Applicants submit that claims 1-12 are allowable.

If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants’ undersigned representative at the telephone number listed below.

Respectfully submitted,

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